

The complaint

Mr A complains that Santander UK Plc called the police during a visit to one of its branches.

What happened

In June 2023, Mr A went to a Santander branch as he wanted to get more information about a payment and his account being closed. He went to the branch, but the staff said they were unable to help him. The accounts of what happened next differ between Mr A and Santander.

Mr A says he experienced poor service, with the branch staff refusing to let him speak to a manager and treating him with a lack of respect. Santander says that Mr A was abusive towards staff and refused to leave the branch. Santander then called the police, which Mr A feels that was unnecessary and upsetting. Santander says it was entitled to take this action in the circumstances where Mr A was refusing to leave the branch.

Mr A complained to Santander about this but it maintained that it had dealt with the situation correctly. So he brought his complaint to this service where one of our investigators looked into it. They said that Santander acted correctly and in line with its procedures in how it dealt with Mr A – including when it called the police.

Mr A disagreed. He felt our investigator had ignored UK law in considering the complaint and hadn't requested CCTV records either. He also said that the police told him that he had a right to be in the bank and to get information about his account on the day in question. Our investigator didn't change their outcome and so the complaint has been referred to me to decide.

What I've decided – and why

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

In doing so, it's worth starting by saying that this complaint relates to an event that Mr A and Santander say happened in very different ways. As I wasn't present at the event in question, I have to make my decision based on what the evidence tells me is more likely than not to have happened on that day.

Mr A's version is that he went to the branch with a reasonable request to find out more about what was happening with his account. He says he was met with an unhelpful attitude from the branch staff who were unwilling to help him and that the decision to call the police was disproportionate. He's added that the police told him that he had a right to be in the branch and to get information about his account.

Santander's version of events is very different. I've considered the detailed testimony provided by two members of staff who say they felt threatened by what they perceived as threatening behaviour from Mr A – including him refusing to leave the branch. Both staff members explain that because they found themselves unable to deal with Mr A's request in

the way he wanted and because he refused to leave the branch – the police were called.

I realise that Mr A feels very strongly that this was an unnecessary step and, given what he's said about the circumstances here, I can see why he might have been frustrated by the branch staff not being able to help him in the way he wanted. But what's clear from the staff statements is that they perceived his behaviour as threatening and found themselves unable to deal with Mr A.

These statements from the branch staff are clear, detailed and consistent. I find them persuasive as a record of what likely happened that day. I think it's unlikely that a branch would take the step of calling the police unless they felt there was good reason to. So while I recognise that Mr A sees things very differently, I think Santander acted fairly and reasonably when it contacted the police that day.

That's not to say I've put Mr A's testimony to one side – I haven't. But I think what's more likely than not to have happened here is that Mr A perceived his behaviour in one way and Santander another. I've considered whether CCTV evidence from the day would make a difference – but I don't think it would. Much of what the parties say is about what was said and how it was said. CCTV wouldn't show any detail around that and so I don't think I need to see anything further in order to make an impartial decision.

I note that Mr A says the police told him that he had a right to be in the branch and to get information on his account. I can't know the full context in which this was said, but even if the police said this, it doesn't change the outcome. In general terms, Mr A does have a right to be in a branch and to get information on his account as a customer. The situation here was different though – he wanted information that Santander says it couldn't give him and then refused to leave the branch.

Given that I think Santander acted fairly when it called the police, I won't be telling it to do any more or compensate Mr A in the way he'd like.

My final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 22 April 2024.

James Staples
Ombudsman